

Remarks

The Office Action mailed November 6, 2006 has been received and reviewed. Claim 1 is pending in the application. Claims 2-26 had been cancelled previously. Claim 1 has been amended as previously set forth. All amendments and cancellations are made without prejudice or disclaimer. No new matter has been added. Reconsideration is respectfully requested.

Rejection under 35 U.S.C. § 112

Claim 1 has been rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. Claim 1 has been amended to specify the cross-linker as "SMPT." Since the specification admittedly "discloses the use of SMPT as a cross-linker," amended claim 1 complies with the written description requirement. Withdrawal of the rejection is thus respectfully requested.


Rejection under 35 U.S.C. § 102

Claim 1 has been rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Scannon. Scannon discloses that immunotoxins can be prepared by chemical linkage using a disulfide bond linker SPDP, but Scannon does not disclose a chemical linkage by SMPT. Claim 1 has been amended to specify SMPT as the linker between the antibodies and ricin A. As acknowledged by the Office, SMPT "has a unique chemical structure and properties not found in disulfide bond containing chemical linkers per se (it has a particular chemical structure, tertiary structure and has a hindered disulfide bond)." Office Action, page 1. Therefore, Scannon does not disclose all elements of claim 1. Withdrawal of the rejection is thus respectfully requested.

Serial No. 09/668,555

If questions should remain after consideration of the foregoing, the Examiner is kindly requested to contact applicants' agent at the address or telephone number given herein.

Respectfully submitted,



Li Feng, Ph.D.
Registration No. 57,292
Agent for Applicants
TRASKBRITT, PC
P.O. Box 2550
Salt Lake City, Utah 84110-2550
Telephone: 801-532-1922
Respectfully submitted,

Date: January 5, 2007

LF/lf

Document in ProLaw